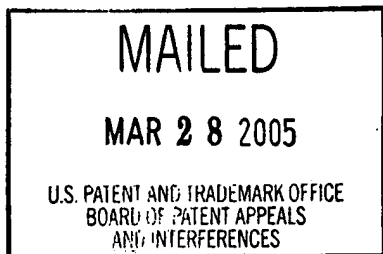


UNITED STATES PATENT AND TRADEMARK OFFICE

\_\_\_\_\_  
BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_



\_\_\_\_\_  
Ex parte KAZUE SAKO  
\_\_\_\_\_

\_\_\_\_\_  
Application No. 09/472,900  
\_\_\_\_\_

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER  
\_\_\_\_\_

This application was electronically received at the Board of Patent Appeals and Interferences (BPAI) on February 25, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below:

Appellants filed an Information Disclosure Statement (IDS) on September 30, 2002. The copy of the 1449 in the electronic file is neither signed nor dated and the reference thereon has not been checked or lined through. Also, the IDS submitted on August 1, 2003, does not appear to have a considered corresponding SB/08 form. Therefore, it is not clear from the record whether the examiner considered the statements submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application No. 09/472,900

Accordingly, it is

ORDERED that the application is returned to the examiner for proper consideration of the IDS filed September 30, 2002, and the IDS filed August 1, 2003, notification to appellants in writing of consideration and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:



CRAIG FEINBERG  
Program and Resource Administrator  
(571) 272-9797

cc: FOLEY & LARDNER  
WASHINGTON HARBOUR  
3000 K STREET NW  
SUITE 500  
WASHINGTON DC 20007-8696

CF/vsh